

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EDUARDO VELA,)
Petitioner,)
vs.) Case No. 4:06CV00137 ERW
LARRY CRAWFORD,¹)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Lewis M. Blanton [doc. #21], pursuant to 28 U.S.C. § 636(b). The Court notes that no objections were filed to the Report and Recommendation. After consideration of the issues, the Court hereby sustains, adopts, and incorporates herein the Magistrate's Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that Petitioner Eduardo Vela's Petition for Writ of Habeas Corpus [doc. #1] is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

Dated this 4th Day of March, 2009.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE

¹Petitioner brought his initial Petition against Jill McGuire, Superintendent of the Tipton Correctional Center. Petitioner is now being supervised by the State of Texas, as a result of his current parole status. As a result, Ms. McGuire is no longer the proper respondent. The Missouri Department of Corrections has jurisdiction over Petitioner, thus, Larry Crawford, the director of the Missouri Department of Corrections, is the proper party respondent and is substituted as such.